

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LINDSEY L. BIXBY,

Defendant.

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8:20CR241

ORDER

This matter is before the court on Defendant's Unopposed Motion to Continue Trial [48]. Defendant's counsel has a conflict with the current trial date. On June 29, 2021, the court had a telephone conference with the attorneys. As a result of the telephone conference the parties needed to check on witness's availability. Based on the information provided during the telephone conference, and the subsequent information that has been provided to the court by the parties, the court finds good cause to grant the continuance.

IT IS ORDERED that the Motion to Continue Trial [48] is granted, as follows:

1. The jury trial now set for September 28, 2021, is continued to **November 2, 2021**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and November 2, 2021**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted without a hearing before the undersigned magistrate judge.**
4. The Motion in *Limines* hearing currently set for September 23, 2021 at 9:00 a.m. is continued to October 21, 2021 at 9:00 a.m. Any Motion in *Limine* shall be filed no later than two weeks prior to the hearing date.

DATED: July 12, 2021.

BY THE COURT:

**s/ Susan M. Bazis
United States Magistrate Judge**